

FARMINGTON CITY PLANNING COMMISSION

Thursday, February 23, 2006

PLANNING COMMISSION STUDY SESSION

Present: Vice Chairman Kevin Poff, Commission Members Andrew Hiller, Cory Ritz, Rick Wyss, City Planner David Petersen, and Recording Secretary Jill Hedberg. Chairman Talbot and Paul Barker were excused.

Vice-Chairman Poff called the meeting to order at 6:30 P.M. The following items were reviewed:

Agenda Item #3 - Garbett Homes - Applicant is requesting a recommendation to approve the Final (PUD) Master Plan for the Farmington Crossing South PUD and a recommendation for final plat approval for first phase thereof. The proposed PUD, which consists of 101 lots on 8.4 acres, is located west of U.S. 89, north of I-15, east of Shepard Creek Parkway, and south of the development known as Farmington Crossing at Spring Creek Pond Planned Unit Development (S-28-05)

David Petersen explained that the applicant was requesting a recommendation for Final (PUD) Master Plan for the south phase, as well as final plat approval for Phase 1 of Farmington Crossing South. He informed the Commission that the majority of the reviewing agencies had reviewed and accepted the plan. The drainage from the development can be stored on-site or off-site. City Staff recommended approving the applicant's requests.

[**Cory Ritz** arrived at 6:42 P.M.]

Paul Hirst said he conducted his own review of the drainage in the area. Although, the development is capable of storing the water on-site, it is his recommendation that the large County basin be expanded which will provide protection for the adjacent property owners, as well as decreasing the amount of basins the City is responsible to maintain.

Agenda Item #5 - PCI #1 LLC (Public Hearing) - Applicant is requesting preliminary plat approval for Phase 1D of the Farmington Greens PUD which consists of 21 lots on 8.03 acres and is located at approximately 1400 West Clark Lane in an AE (PUD) zone (S-1-06)

David Petersen displayed the plan that was approved by the City in 2003. He also displayed the master plan that was approved by Development Agreement.

[**Rick Wyss** arrived at 6:46 P.M.]

Mr. Petersen said the developer received preliminary plat approval for 51 lots, but

would also need preliminary plat approval for the remaining lots in phase 1D that were not covered in the original approval for the 51 lots.

Agenda Item #6 - PCI #1 LLC (Public Hearing) - Applicant is requesting a recommendation for minor plat approval for a one lot subdivision (2.98acres) located at approximately 50 South 1525 West in AE (PUD) zone (S-3-06)

David Petersen explained that the mailing perimeter for the three acre church site was large. He said several of the neighbors who received the mailing thought the item being discussed was the corner parcel on 1525 West and 100 North. He said he received a letter from **Gordon Crabtree** who is the President of the Farmington Ranches Homeowners Association. He also passed out a letter from **Rebecca Thompson** which expressed concerns about the corner parcel becoming a commercial use. He explained that the City Council had previously agreed to a non-residential use for the parcel (which is owned by **Neuman Petty**, not by Proterra).

Mr. Petersen reviewed **Mr. Crabtree's** concerns. He said some of the comments are valid, while the others should be considered at a later time.

Agenda Item #7 (Public Hearing) - Applicant is requesting a recommendation to amend the General Plan regarding 1.7509 acres of property located on the southwest corner of Main Street and South Mountain Road from "Low Density Residential" to "Office/Business Park," and the rezone the property from LR-F to BP-F (Z-3-06)

David Petersen explained that the Planning Commission denied the applicant's previous proposal because the scale of the building was too large. The applicant has since revised his proposal.

Kevin Poff said he received a message from **Jim Talbot** who thought it might be in the best interest of the City to maintain the residential aspect of the Pilcher property for as long as possible due to the large scale of the Gardner/Gust development.

David Petersen said **Jim Talbot** had also indicated to him that he would like to be present when action is taken on the property since he lives near the area. Therefore, he requested that the item be tabled. **Mr. Petersen** said at a previous meeting, the Planning Commission indicated that the parcel would not be a good location for single family housing. They indicated to the developer that compared to a multi-family use an office use would cause the least impact to the neighborhood to the east.

Mr. Petersen recommended to the Planning Commission that they had the option to pursue different alternatives as opposed to an office use such as a residential use. He said he attended a workshop on compact higher density housing which could be considered for this piece

of property. He said the Planning Commission should consider that if the proposed piece is developed with a commercial use, it is likely the parcels to the south will also be developed with a non-residential use. He said the traffic study had not yet been updated.

Cory Ritz said it may be beneficial for the Commission to review a current traffic study before they make a decision.

Paul Hirst said it would not benefit the Planning Commission to delay their decision based on the traffic study. The impact compared to The Village at Old Farm would likely be negligible.

Rick Wyss asked **Mr. Petersen** for his recommendation.

David Petersen recommended the property have an office or residential use.

Rick Wyss asked **Mr. Hirst** for his recommendation.

Paul Hirst recommended that a residential use is a bad idea, he said the developer submitted a suitable application since there will be traffic from The Village at Old Farm. It would be difficult to develop the property with a residential use.

Rick Wyss asked why can't we act on this tonight?

Paul Hirst said the Planning Commission could postpone their decision based on the opposition from the residents. He said a residential use would likely deteriorate by the third generation due to its location in relation to the interchange and the commercial development. A residential use could actually be a detriment to the community more than a quiet office building would be.

Agenda Item #8 - Ron Martinez/America West Development, LC (Public Hearing) - Applicant is requesting a recommendation to rezone approximately 64 acres of property located west of Park Lane and north of 100 North at approximately 1180 West Clark Lane from A to TOD (Z-1-06)

David Petersen passed out a letter that was submitted by **Ron Martinez**. He said the zoning is consistent with the General Plan but the developer has not submitted sufficient information considering the property is 64 acres. He showed the developer concept plans that have been submitted to the City by other developers for other projects so the developer now knows what is expected. **Mr. Martinez** informed **Mr. Petersen** that he planned to develop a portion of the property and to sell the rest.

The meeting adjourned at 6:55 P.M.

PLANNING COMMISSION REGULAR SESSION

Present: Vice-Chairman Kevin Poff, Commission Members Andrew Hiller, Cory Ritz, Rick Wyss, City Planner David Petersen, and Recording Secretary Jill Hedberg. Chairman Talbot and Paul Barker were excused.

Vice-Chairman Poff called the meeting to order at 7:00 P.M. **Andrew Hiller** offered the invocation.

APPROVAL OF MINUTES

Cory Ritz moved that the Planning Commission approve the minutes of the February 9, 2006, Planning Commission Meeting. **Andrew Hiller** seconded the motion. The Commission voted unanimously in favor.

CITY COUNCIL REPORT

David Petersen reported the proceedings of the City Council meeting which was held on February 15, 2006. He covered the following items:

- The City Council authorized the Mayor to sign a vacation order on Lot 120 Of Hunters Creek, Phase 1, Subdivision.
- Rich Haws withdrew his application to rezone property located west of I-15, north of Clark Lane and south of Park Lane from “A” and “BP” to TOD.
- The City Council granted preliminary plat approval for “The Steed Place” Planned Unit Development. They did not approve the accompanying Development Agreement.
- The City Council discussed the Nemelka property. They agreed to further study the issue but agreed Farmington Greens is not responsible to provide access to the Nemelka property.
- The City Council finalized the Agreement with Todd and Wendy Rice.
- The City Council approved the Ordinance establishing the Farmington Trails Committee.
- The City Council appointed members to the Board of Adjustment.

GARBETT HOMES - APPLICANT IS REQUESTING A RECOMMENDATION TO APPROVE THE FINAL (PUD) MASTER PLAN FOR THE FARMINGTON CROSSING SOUTH PUD AND A RECOMMENDATION FOR FINAL PLAT APPROVAL FOR FIRST PHASE THEREOF. THE PROPOSED PUD, WHICH CONSISTS OF 101 LOTS ON 8.4 ACRES, IS LOCATED WEST OF U.S. 89, NORTH OF I-15, EAST OF THE

SHEPARD CREEK PARKWAY, AND SOUTH OF THE DEVELOPMENT KNOWN AS FARMINGTON CROSSING AT SPRING CREEK POND PLANNED UNIT DEVELOPMENT (S-28-05) (Agenda Item #3)

Background Information

The City Council voted on January 18, 2006, to approve the Preliminary (PUD) Master Plan for the South and North projects of the PUD.

On January 26, 2006, the Farmington City Planning Commission voted to grant preliminary plat approval for Farmington Crossing South PUD, Phase 1.

The updated Preliminary Plat was not received as required by Preliminary Plat approval. Staff needs this updated plan for the subdivision files.

The City Engineer and Developer are working on a final plan for either on-site or off-site retention of storm water. Final approval of the retention plan should be required before the plat is recorded.

The City has a letter from the Department of Natural Resources stating no Stream Alteration Permit is required for Phase 1.

END OF PACKET MATERIAL

David Petersen displayed the Master Plan for the Garbett Homes development. The developer is requesting Final (PUD) Master Plan approval for the south phase and a recommendation for Final Plat approval for Phase 1 of the south PUD. The City Engineer has determined that the water storage can be handled on-site or off-site. **Mr. Petersen** recommended granting approval subject to the conditions listed on the "Suggested Motion."

Noel Balstaedt (Garbett Homes) asked for the Commission's approval to proceed since Garbett Homes has met the City's requirements.

Motion

Cory Ritz moved that the Planning Commission recommend approval of the Final (PUD) Master Plan for the Farmington Crossing PUD subject to all applicable Farmington City Development standards and ordinances and the following:

1. A final plan for storm water retention, either on-site or off-site, acceptable to the City and County is developed.

Andrew Hiller seconded the motion, which passed by unanimous vote.

Motion

Cory Ritz moved that the Planning Commission recommends approval of the Final Plat for Phase 1 of the Farmington Crossing South PUD, consisting of 93 lots on 7.3 acres, subject to all applicable Farmington City Development standards and ordinances and the following:

1. The applicant must comply with all conditions of Final (PUD) Master Plan approval by the City Council.
2. The lot lines shown in Future Farmington Crossing South, Phase 2, shall be removed from the plat.
3. The applicant shall convey the appropriate easements for culinary water and such easements shall be recorded over all rights-of-way within the project. The easements shall also be recorded as a document in the Davis County Recorder's office.
4. An access easement allowing public access to the east property line shall be included on the plat and recorded as a document in the Davis County Recorder's office.
5. The applicant shall provide public access acceptable to the City on all rights-of-way (public or private), including access for emergency and maintenance vehicles in and out of the development.
6. All improvement drawings for the project, including but not limited to a grading and drainage plan implementing best management practices as set forth in the Farmington City Storm Water Management Plan, must be reviewed and approved by the City Engineer.
7. Applicant has been advised that the area being used to determine the flood area, which includes this project as well as other properties, will be solely determined by Davis County. To date, the City has not received adequate information from Davis County Flood Control, regarding storm water and drainage basins and volumes, to enable the City to give final approval of any of the phases of the applicant's overall project. Final plat approval should be subject to additional requirements regarding storm drainage including but not limited to detention basin locations, volumes, piping, etc. Portions of the proposed project areas (Farmington Cross PUD North and South, including all phases related thereto) may be needed for storm water storage purposes.

8. Prior to occupancy, an individual physical numerical address, acceptable to the City's Fire Department, for each dwelling must be displayed on the back and front of the outside of the building for each unit.
9. The zone designation, as per a prior ordinance, must be changed to CMU.
10. The roads must have a coordinate reference number which conforms to the numbering system adopted by the City.

Andrew Hiller seconded the motion, which passed by unanimous vote.

Findings

- The development is in accordance with the zoning and the Master Plan for the area.
- The drainage issues have been resolved.
- The City has made an effort to verify that the adjacent properties will not be impacted by the development's drainage.
- The developer has met the requirements and conditions set by the City.

AGENDA ITEM #4: The Agenda was misnumbered so Agenda Item #4 does not exist.

PUBLIC HEARING: PCI #1 LLC - APPLICANT IS REQUESTING PRELIMINARY PLAT APPROVAL FOR PHASE 1D OF THE FARMINGTON GREENS PUD WHICH CONSISTS OF 21 LOTS ON 8.03 ACRES AND IS LOCATED AT APPROXIMATELY 1400 WEST CLARK LANE IN AN AE (PUD) ZONE (S-1-06) (Agenda Item #5)

Background Information

Portions of the preliminary plat that were included in the packet were approved by the Planning Commission on March 22, 2001. However, a large portion of this plat is beyond the boundaries of that original preliminary plat. The street connection to Clark Lane was not shown on the first Master plan for the project. Nevertheless, several weeks ago, after receiving a recommendation from the Planning Commission, the City Council approved an amended Master Plan for the project which shows the street connection. The amended master plan also shows a site for a church on the property south of phase 1D. The conditions of the "Suggested Motion" are similar to the conditions set forth by the Planning Commission in 2001.

END OF PACKET MATERIAL.

David Petersen said his comments apply to both Agenda Items #5 and #6. He displayed a Vicinity Map and said the mailing notice was sent to a large area. He displayed the Master

Plan that was approved in 2001. He also displayed the revised Master Plan which included a road connection, a potential road site, and fewer building lots. The applicant previously received preliminary plat approval for 51 lots, but he will also need preliminary plat approval for the remaining lots. The “suggested motion” is similar to the motion that was used by the Planning Commission when the first 51 lots were approved.

Mr. Petersen also discussed the minor plat approval for a one lot subdivision. He said the mailing notice did not refer to the church parcel because it was not listed on the application (although the developer does plan to develop the three acres for a church site). A few of the residents who received the mailing notice assumed the discussion item was the corner parcel which is intended for a non-residential use.

Public Hearing

Vice -Chairman Poff opened the meeting to a public hearing and invited the applicant to address the Commission.

Gerry Tully (PCI #1 LLC) said they are trying to complete the frontage along Park Lane which was previously approved. The reason they are out of the previous preliminary plat boundary is because they did plan on Clark Lane being developed at this point. The three acre lot will be the future church site, but the City will not receive an application for the church until the lot is created and sold to the LDS Church.

Gordon Crabtree (President of the Farmington Ranches Homeowners Association) said the Farmington Ranches Homeowners Association (FR-HOA) is made up of 400 members and will eventually be 700 members. He passed out and reviewed his written comments.

Item #1: He asked that the residents of Farmington Ranches be given the opportunity to vote on any commercial development project that will border their restricted development properties. He suggested that the Farmington Greens CC&R's not include “native vegetation” since it is difficult for HOA's to maintain. He also suggested that adjoining homeowners maintain the open space areas since it can be difficult for the HOA to access.

Item #2: An access driveway should be made from the proposed LDS Church into the community it will serve.

Item #3: The Farmington Greens HOA property and parking strip properties along Clark Lane and 1525 West should be landscaped and fenced consistent with the Farmington Ranches HOA.

Item #4: The Farmington Greens development needs to have an independent review conducted by a landscape designer to develop, for the homeowners, a master plan that would

consider the interest of the future homeowners and not just the interests of the current developer.

Item #5: All developments in Farmington that anticipate formation of a Homeowners Association should be required to have CC&R's that consider the needs of future homeowners and the residents of the City.

Richard Lindsley (250 South 1525 West) said he represents the Farmington Trails Committee. He asked the Planning Commission to verify that the proposed trails for the development be included.

Gerry Tully said trail easements have been conveyed to the City. He pointed out a trail that will be relocated to the north side of Clark Lane.

Gordon Crabtree said the Farmington Ranches trails are unuseable because the City expects the HOA to maintain them.

Public Hearing Closed

With no further comments, **Vice-Chairman Poff** closed the public hearing. The Commission members discussed the issues, including the following points:

Andrew Hiller said he agreed with the comments that were given by **Mr. Crabtree**. He said the Planning Commission would make note of the Farmington Ranches HOA's concerns. He also suggested that **Mr. Tully** consider the input of the Farmington Ranches HOA.

Kevin Poff said the Planning Commission learned valuable lessons from the Farmington Ranches development. Many of the issues have already been discussed with the current developer.

Gerry Tully said the corner parcel has been planned for a non-residential use since before the first Farmington Ranches plat was approved and it is included in the Development Agreement. He said they are not part of the Farmington Ranches so they do not plan to fence around the perimeter of the development. The project does have CC&R's that the individual homeowners will have to abide by.

Cory Ritz reminded **Mr. Tully** that Farmington Greens is a part of the City and the neighborhood.

Motion

Cory Ritz moved that the Planning Commission approve the preliminary plat for the

Farmington Greens PUD Plat 1D subject to all applicable Farmington City development standards and ordinances and the following:

1. Improvement drawings for the subdivision, including a grading and drainage plan and storm water management plan, shall be reviewed and approved by the Farmington City Engineer, Planning Department, Public Works Department, Fire Department, Weber Basin Water Conservancy District, and Central Davis Sewer District.
2. The setbacks and preliminary elevations or perspectives of all building types proposed for this phase of the Farmington Greens Planned Unit Development shall be submitted to the City by the developer. The setbacks and building elevation shall be consistent with the Development Agreement between the developer and Farmington City for this project.
3. The applicant shall illustrate on or with the preliminary plat by a table or other graphic means the proportionate share of open space proposed for the entire project that will be set aside with this phase and show the location of this open space.
4. The developer shall prepare and submit a consistent street lighting plan, fencing plan, and illuminated house addressing system for review and approval by the City.
5. The developer shall provide landscaping plans acceptable to the City for the open space area.
6. Fully executed declaration of covenants, conditions, and restrictions together with open space easements and other bonds, guarantees or easement agreements shall be provided to the City as required by the Planned Unit Development Chapter of the Zoning Ordinance and/or the City Attorney.
7. The developer shall update the preliminary plat with the changes required on the Preliminary Plat Checklist dated February 17, 2006.
8. This preliminary plat approval shall be subject to the Development Agreement made and entered into the 19th day of July 2000, by and between Farmington City and Claims, Inc., and any amendments related thereto.

Andrew Hiller seconded the motion, which passed by unanimous vote.

Findings

- The development is consistent with the Master Plan and has only had slight modifications to the original Development Agreement.
- The development is consistent with the City's General Plan for the area.
- The development has helped the City improve Clark Lane and the pedestrian access.

PUBLIC HEARING: PCI#1 LLC - APPLICANT IS REQUESTING A RECOMMENDATION FOR MINOR PLAT APPROVAL FOR A ONE LOT SUBDIVISION (2.98 ACRES) LOCATED AT APPROXIMATELY 50 SOUTH 1525 WEST IN AE (PUD) ZONE (S-3-06) (Agenda Item #6)

Background Information

It is anticipated that a church will be built on the proposed building lot. The lot fronts an existing fully improved public street (except sidewalk). All issues related to the development thereof, including but not limited to the implementation of a grading and drainage improvements, will be considered upon receipt by the City of a complete conditional use application.

Several weeks ago, after receiving a recommendation from the Planning Commission, the City Council approved an amended Master Plan for the Farmington Greens PUD. On February 15, 2006, the development agreement for the project was amended to include the amended Master Plan. The applicant's proposal to create a building lot for a future church site is consistent with the amended Master Plan.

END OF PACKET MATERIAL.

David Petersen said the subdivision needs to occur in order for the LDS Church to purchase the property.

Public Hearing

Vice-Chairman Poff opened the meeting to a public hearing and invited the applicant to address the Commission.

Gerry Tully said the Church will submit their application when the property is made a legal lot.

Public Hearing Closed

With no further comments, **Vice-Chairman Poff** closed the public hearing. The Commission members discussed the issues, including the following points:

Cory Ritz said at previous meetings, the Planning Commission agreed the church site will be a benefit to the residents in the area.

Motion

Andrew Hiller moved that the Planning Commission recommend that the City Council approve the application subject to all applicable Farmington City development standards and ordinances and the applicant shall enter into an extension agreement for the installation of a sidewalk, and any development of the property, except for a single family dwelling, shall require a conditional use permit. Said extension agreement must be recorded concurrently with the recordation of the plat. **Cory Ritz** seconded the motion, which passed by unanimous vote.

Findings

- The development is consistent with the Master Plan and has only had slight modifications to the original Development Agreement.
- The development is consistent with the City's General plan for the area.
- The development has helped the City improve Clark Lane and the pedestrian access.
- The subdivision will accommodate the need for a church in the area.

PUBLIC HEARING; LANE FISHBURN - APPLICANT IS REQUESTING A RECOMMENDATION TO AMEND THE GENERAL PLAN REGARDING 1.7509 ACRES OF PROPERTY LOCATED ON THE SOUTHWEST CORNER OF MAIN STREET AND SOUTH MOUNTAIN ROAD FROM "LOW DENSITY RESIDENTIAL" TO "OFFICE/BUSINESS PARK," AND TO REZONE THE PROPERTY FROM LR-F TO BP-F (Z-3-06) (Agenda Item #7)

Background Information

The Planning Commission on December 8, 2005, recommended that the City Council deny a request from the applicant to amend the General Plan and rezone the property to BP. After hearing all of the evidence, the Commission voted to deny the application because:

The development proposal associated thereto was too large in scale and therefore not compatible with the character of the site, adjacent properties, surrounding neighborhoods, and other existing and proposed development. The Planning Commission determined that the development proposal was in direct contrast to "the most significant element underlying the [Farmington City] General Plan" set forth in paragraph 1 of the General Goals Section of Chapter 4 of said plan, which states: "The Farmington City General Plan is based on the overall of creating within the community a healthy, attractive, and pleasant living environment for its residents."

The applicant has now modified the appearance and size of the building on the site to resolve issues raised by the Planning Commission at the December 8, 2005, meeting.

The following two paragraphs were included as the background information of the December 8, 2005, staff report:

The applicant has determined that the subject property is not a good location for single family homes because it is located on a busy collector street next to a major interchange. Based on the results of past discussion items with the Commission, the developer has also determined that multiple family development (for sale or rental units) may not be acceptable and that a small well landscaped professional office building will be more compatible with adjacent neighborhoods. Hence he is requesting a BP zone.

The number of uses available in the BP zone for parcels under 5 acres is limited. For example, multiple family residential is not allowed. Moreover, the City maintains a certain degree of control over the property because any development proposal on a parcel one acre or greater in size must be considered as conditional use in the BP zone.

END OF PACKET MATERIAL.

David Petersen displayed a Vicinity Map and reviewed the “Background Information.” The Planning Commission, during previous discussions, preferred high density housing or an office use for the property, rather than single family residential. They informed the developer that an office use would be the least impact to the neighborhood to the east. The developer then submitted his application for review in December 2005. At that time the Planning Commission suggested that the developer submit an application that contained a smaller scale office building that was more aesthetically pleasing. He displayed the front and side elevation and the site plan for the current application. The developer has directed the traffic to Main Street.

Public Hearing

Vice-Chairman Poff opened the meeting to a public hearing and invited the applicant to address the Commission.

Lane Fishburn said he followed the Planning Commission’s recommendations so the building will better match the surrounding areas. The basement entrance will make it possible to maintain a single-story look from the front of the building. He said residents in the area were not in favor of multi-family housing. They preferred developing the property with a residential use but it would be difficult to do due to the high traffic area. He pointed out the 3-dimension roundabout rendering that was requested by the Planning Commission. He plans to salvage as many trees as possible and to create a buffer for the adjacent property owner. He said the back slope will not be modified.

David Potter (1745 North Main) said it is difficult to live in the area due to the high traffic volumes. The proposed office building would have a low impact and would not be in operation during the peak traffic times. The office building will be a benefit to the City and neighborhood. He said a tune-up business was located on the property for 25 years, so the area has not always been strictly residential.

Sharon Treu (931 West Northridge Road) said according to the City's Master Plan, the property should have a residential use. She referred to the NMU text which states that the residential use and areas adjacent to an NMU area should be protected. It also states that non-residential buildings should not be constructed within 100 feet of Main Street. She was concerned that if the property is rezoned, it would allow the possibility for many different structures. It could also be considered spot zoning which is not an effective approach to city planning. She asked the Planning Commission to consider the adjacent homeowners and to vote "no."

Marsha Bennett (878 Somerset Street) said the applicant's rendering did not include the residential area behind the office building. Those speaking in favor of the rezone will be moving away from the area. A County assessor admitted that having a business park in the area would have a negative impact on the property values. Great lengths have been taken to preserve the residential nature of Main Street on the west side and should also be taken to protect the east side.

Ken Pilcher (1798 North Main) said he has resided on the property since 1941. UDOT changed his life, his property, and the nature of Main Street. Due to the high traffic in the area, it is no longer a residential corner. He said the residents opposing the office building are not exposed to the heavy traffic and should not have the right to determine what he does with his property. He said the development would benefit the area and would provide an income to the City.

Patricia Anderson (671 Somerset Street) said the property was only marketed for commercial use which decreased the residential property values by 30%. The applicant asked a commercial price for the property which made it unaffordable for residential users. She said she was disappointed that the elevation did not illustrate the parking spaces or the existing homes. When the Village at Old Farm is constructed, there will be 50,000 square feet of office space within five minutes of Farmington. She asked that the Planning Commission not approve the zone change since it would allow for other uses such as outside storage.

Public Hearing Closed

With no further comments, **Vice-Chairman Poff** closed the public hearing. The Commission members discussed the issues, including the following points:

Rick Wyss asked if the property was marketed for a commercial use prior to the rezone.

Ken Pilcher said he did not list the property for a commercial use. A realtor, who is also his friend, put a sign on the property.

Rick Wyss asked if **Mr. Pilcher** had received interest in the property for a residential use.

Ken Pilcher said the only interest in the property was for tax purposes. He has not received inquiries from anyone who is interested in buying a home. He said the property is valued at \$300,000 but he is not willing to sell it for that price. It is a commercial corner. He will now allow commercial uses, such as a hamburger stand, but the property is well suited for a medical building.

Rick Wyss asked how much of the property would be utilized by the building and the parking area.

Lane Fishburn showed an overhead of the Site Plan and pointed out that the majority of the property would be taken up by the building and parking area. The only area that will not be impacted are the buffer zone and the mountain property. The side property is owned by UDOT but he will maintain it as green space.

Rick Wyss asked if there would be room to construct storage sheds.

Lane Fishburn said even if the property were deep enough for storage sheds, it would not be profitable.

Rick Wyss asked what City Staff recommends, and what other uses they considered.

David Petersen said City Staff thinks the office building would be an acceptable use as well as an appropriate compact residential use. Previously the Commission and staff discussed the possibility of the property being used for high density housing, but to rezone the property "R-4," for example, would allow more uses that could have a greater impact to the area than an office building. The "BP" zone requires any development larger than an acre to be considered a conditional use. The BP zone is very restrictive and other than residential housing, would be the least impact to the area. He said he attended a housing seminar that discussed a compact type housing that could be used on a high profile corner. He said the Planning Commission considered whether housing would retain its value over time and be an asset to the community, and whether a residential development would be connected to the rest of the community. Since the Planning Commission had not seen an impressive housing plan that would address their concerns, they felt an office building would be a more viable use for the property.

Rick Wyss asked the City Engineer's opinion regarding the traffic in the area.

Paul Hirst said he estimated that the office building would not cause a negative impact to the area, considering the traffic that is generated from Fruit Heights, Somerset, and the proposed Village at Old Farm.

Cory Ritz said at the previous Planning Commission meeting, the Commissioners and City Staff felt a light use would cause the least impact to the surrounding neighborhoods. He thinks the office building would buffer the neighbors from the intersection. He was not in favor of a residential use because of the high traffic in the area. He asked if a medical building would be allowed at The Village at Old Farm.

David Petersen said the medical building is technically an office building which is allowable in the NMU zone.

Cory Ritz said he is concerned about Main Street encroachment, however, UDOT encroached on the charms of Main Street. He said he favored the proposed use since it would be a benefit to the community. He said the sign on the property did give the impression that the property was being offered for a commercial use. He said legislative actions have made spot zoning more acceptable than it used to be.

Mr. Ritz said he would vote in favor of the property being used for a medical building, but he would feel more comfortable if the developer submitted a preliminary plat or site plan in conjunction with the General Plan amendment and the rezone request.

Lane Fishburn suggested that the motion include a "reverter clause" so the zoning would revert back to LR-F if the medical building is not pursued. He is not in favor of incurring large engineering expenses without further direction from the Planning Commission.

Kevin Poff asked if there is sufficient room for the roundabout.

David Petersen said it has not yet been determined how the intersection will function with a light or a roundabout.

Kevin Poff asked if the General Plan was created prior to the UDOT improvements.

David Petersen said he thought the Master Plan was created in 1993. There was also a Master Plan that was created in 1988 which would also predate the US 89 construction.

In response to a question, **Mr. Fishburn** said he could create the lower level rear entrance without modifying the hillside.

David Petersen asked **Mr. Pilcher** if he had received offers to construct high density housing on the property.

Mr. Pilcher said he had not received that type of offer.

Rick Wyss said he was initially concerned about the commercial use of the Russon Brothers Mortuary property. He now feels it is a better use for the property than the “run down” residential use. He said the medical building would likely be the same type of situation.

Kevin Poff reminded the Planning Commission that he was contacted by **Chairman Talbot** who expressed his concerns regarding a medical building in a residential area. He asked that the Planning Commission consider his input.

Motion

Rick Wyss moved that the Planning Commission recommend that the City Council approve the application as requested contingent upon the small medical office building being in conformance to the development that has been proposed at this meeting. **Cory Ritz** seconded the motion, which passed by unanimous vote.

Findings

- A quiet office building will not impact the area like a residential development would.
- A commercial use is compatible for the area.
- The office building will meet the need for office space in the area.
- The motion will prevent the property from being developed with a different use.
- The “BP” zoning will have the least impact on the area and will provide the most restrictions.
- The UDOT interchange justified an amendment to the City’s General Plan.
- The General Plan for the parcel predates the changes that UDOT imposed on Farmington.
- The office building will buffer the surrounding neighborhoods from the impact of the interchange.
- The applicant is willing to maintain the adjacent UDOT property.

PUBLIC HEARING: RON MARTINEZ/AMERICA WEST DEV., LC - APPLICANT IS REQUESTING A RECOMMENDATION TO REZONE APPROXIMATELY 64 ACRES OF PROPERTY LOCATED WEST OF PARK LANE AND NORTH OF 100 NORTH AT APPROXIMATELY 1180 WEST CLARK LANE FROM A TO TOD (Z-1-06) (Agenda Item #8)

Background Information

Usually, the Planning Commission will review a schematic (or concept) plan in conjunction with the rezone application. In this case, no such plans have been submitted to the City.

END OF PACKET MATERIAL.

David Petersen displayed a Vicinity Map. He said the TOD zone would be an appropriate zone for the area but the Planning Commission is hesitant to provide a recommendation for an area of this magnitude without the applicant providing more detailed information. He referred to the applicant's letter that was given to the Commissioners at the Study Session.

Public Hearing

Vice-Chairman Poff opened the meeting to a public hearing and invited the applicant to address the Commission.

Ron Martinez (America West Development) said they requested to be the Master Planner. The City is now creating a Master Plan Agreement. They would like to find a land use and density that is tied to the TOD zone so they could enter into a Development Agreement. They are not the vertical user and the end user. They want to act as the Master Developer.

Ryan Draider (1386 Longhorn Drive) showed where he lives in relation to the development. He said it would not be appropriate for the Planning Commission to vote on the rezone since the adjacent property owners will not be able to move into their homes for several months. He said he was misrepresented before he purchased his home because he was told the property would not have a density higher than medium residential.

Gordon Crabtree (Farmington Ranches Homeowners Association President) said he was concerned about how the residential property would be buffered from the commercial property. He was also concerned about the commercial property being within a few feet of the conservation easements and wetlands. He said the developer should be required to submit more detailed information.

Todd Jones (1077 South Roueche Lane, Kaysville) said he owns property on the other side of Park Lane. He said the TOD zone is compatible with the City's Master Plan. He is in favor of the proposed use but recognizes that the applicant has not provided sufficient information to the City.

Public Hearing Closed

With no further comments, **Vice-Chairman Poff** closed the public hearing. The Commission members discussed the issues, including the following points:

Cory Ritz said he has been involved with the TOD Ordinance since the beginning. He outlined the surrounding area and how it fits into the Ordinance. He said the old rail acts as a buffer for the Farmington Ranches area. All of the plans, have medium density housing that graduates into low density housing. High density housing should be located in the core zone. Most of the plans also include large box type stores. He said he is concerned about approving the rezone as it has been proposed since there has not been adequate information provided. He felt the proposed density for the multi-family housing was too high for the area. He suggested that the applicant obtain information from the sewer district, identify the wetlands, and provide a drainage diagram.

Kevin Poff said the City Council has been insistent about expanding the BP zone or class 'A' office park as wide as possible.

David Petersen said the City Council would like the areas to the north to be Class 'A' office park. He felt the applicant's proposal would counter the City Council's plans for the space. He suggested that the developer hire a land use planner to develop a concept that the City could consider. He said it would also be helpful for the City to see a development that has been done along the lines of what is being proposed.

Cory Ritz explained that the rings of intensity in the TOD zone radiate out from the core of the transportation zone which is the rail station.

Motion

Cory Ritz moved that the Planning Commission table the application until schematic (or concept) development plans are reviewed and considered in conjunction with the request. The applicant shall submit the following information:

1. Information from the sewer district regarding areas that could have flow problems.
2. Wetlands delineation
3. Drainage diagram/flow elevation
4. Concept or schematic plan

Rick Wyss seconded the motion, which passed by unanimous vote.

1100 WEST STREET DEDICATION (RECOMMENDATION) (Agenda Item #9)

David Petersen said when the Gines subdivision was developed, it was one parcel. Mr.

Gines then received approval for a six lot subdivision. There is an overlap of property that Mr. Gines owns in the 1100 West right-of-way. The County's survey indicated that the right-of-way probably existed in the 1870's. Since that time, the property line has extended. Mr. Gines agreed to convey the property in the right-of-way to the City. He also agreed to dedicate a 7' strip of land. City Staff recommended that the Planning Commission recommend the street dedication.

Motion

Rick Wyss moved that the Planning Commission recommend that the City Council approve the street dedication. **Cory Ritz** seconded the motion, which passed by unanimous vote.

Findings

- The street dedication is consistent with the Gines subdivision approval.
- The motion is consistent with the recommendation of the City Staff.

MISCELLANEOUS

David Petersen reminded the Planning Commission of the Land Use Seminar.

ADJOURNMENT

Cory Ritz moved that the Planning Commission adjourn at 9:20 P.M..

Kevin Poff, Vice Chairman
Farmington City Planning Commission